

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE: BAYOU HEDGE FUNDS )  
INVESTMENT LITIGATION )  
\_\_\_\_\_ )

CASE NO. 06-MDL-1755 (CM)

THIS DOCUMENT RELATES TO: )  
\_\_\_\_\_ )

DEPAUW UNIVERSITY, )  
 )  
Plaintiff, )

No.: 06-cv-03028 (CM)

vs. )  
 )

HENNESSEE GROUP LLC, )  
CHARLES GRADANTE and )  
E. LEE HENNESSEE, )  
 )

Defendants. )  
\_\_\_\_\_ )

**DEPAUW'S RESPONSE TO MOTION OF DEFENDANTS HENNESSEE GROUP LLC,  
CHARLES GRADANTE, AND E. LEE HENNESSEE TO STAY THIS PROCEEDING  
AND COMPEL ARBITRATION OF DEPAUW'S CLAIMS AGAINST THEM**

Plaintiff DePauw University ("DePauw") has no objection to the May 31, 2006 motion of Defendants Hennessee Group LLC, Charles Gradante and E. Lee Hennessee "for an Order compelling arbitration of all of [DePauw's] claims against the Defendants . . . and staying the litigation of [DePauw's] claims against Defendants pending the completion of the arbitration proceeding."

Respectfully submitted,

BAKER & DANIELS LLP

/s/ Matthew T. Albaugh

David K. Herzog

Matthew T. Albaugh

BAKER & DANIELS LLP

300 North Meridian, Suite 2700

Indianapolis, IN 46204

(317) 237-0300

(317) 237-1000 (facsimile)

david.hertzog@bakerd.com

matthew.albaugh@bakerd.com

*Attorneys for Plaintiff DePauw University*

**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that on the 29th day of June, 2006, a copy of the foregoing *DePauw's Response to Motion of Defendants Hennessee Group LLC, Charles Gradante, and E. Lee Hennessee's to Stay This Proceeding and Compel Arbitration of DePauw's Claims Against Them* was electronically filed and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's system.

/s/ Matthew T. Albaugh

Matthew T. Albaugh